

10-17-05

27123

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RCE  
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## REQUEST

### FOR

### CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application No.	10/618,112
Filing Date	July 11, 2003
First Named Inventor	Akira MIYAKE et al.
Group Art Unit	2882
Examiner Name	Chih Cheng G. KAO
Atty Docket No.	1232-5081

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

*NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

#### 1. Submission under 37 C.F.R. §1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on September 23, 2005. (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other: \_\_\_\_\_
- b. Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv. Other: \_\_\_\_\_

#### 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. Other: \_\_\_\_\_

#### 3. Fees

The RCE fee under C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed

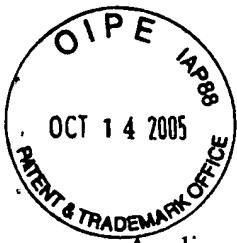
- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4500, Order No. 1232-5081
  - i.  RCE fee required under 37 C.F.R. §1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§1.136 and 1.17)
  - iii.  Other: \_\_\_\_\_
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed.
- c.  The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 13-4500, Order No. 1232-5081

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Stephen L. Manetta	Reg. No. (Atty/Agent)	40,426
Signature		Date	October 14, 2005

10/18/2005 NNGUYEN1 00000/65 134500 10618112

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Docket No. 1232-5081

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Akira MIYAKE et al.

Group Art Unit: 2882

Serial No.: 10/618,112

Examiner: Chih Cheng G. KAO

Filed: July 11, 2003

For: OPTICAL MEASURING DEVICE

**EXPRESS MAIL CERTIFICATE**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Label No.: EV 622 500 279 US

Date of Deposit: October 14, 2005

I hereby certify that the following attached paper(s) and/or fee

1. Request for Continued Examination (RCE) Transmittal authorizing fee to be charged to Deposit Account 13-4500, Order No. 1232-5081;
2. Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Albert Isles

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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